

Notice of Allowability

Application No.

09/698,905

Examiner

Jeffrey A. Smith

Applicant(s)

MCDONALD, PATRICK D.

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3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Appeal Brief filed 9/19/05.
2. ☒ The allowed claim(s) is/are 1-26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

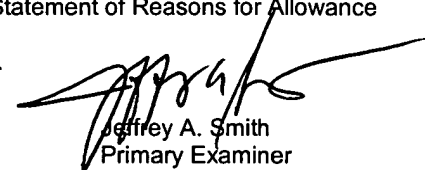
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Jeffrey A. Smith
Primary Examiner
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REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Regarding claim 1

The prior art of record neither anticipates nor fairly and reasonably teaches a method for acquiring unclaimed property information comprising, *inter alia*, the step of automatically obtaining a plurality of unclaimed property information from a plurality of unclaimed property repositories; and automatically transforming the plurality of unclaimed property information maintained in the plurality of different formats into a unified database format.

The Examiner has reviewed Applicant's remarks at page 9 of the Appeal Brief filed September 19, 2005. Such remarks indicate that the term "automatically" was added pursuant to an agreement reached with the previous Examiner on August 25, 2004. Although the Interview Summary provided by the Examiner documenting the agreement is somewhat vague regarding the intent of the addition of the term "automatically", Applicant, in the Brief confirms that such term was added "to make the automated processing of unclaimed property information explicit" (original

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emphasis). The Examiner notes that claim 1 has indeed been amended to explicitly recite "automatically" performing each of the specifically recited steps of obtaining, transforming, and creating.

Returning to Applicant's Brief, Applicant refers to page 16, lines 9-14 for a description of the term "automatically" in the context of claim 1 (Brief: "Summary of the Claimed Subject Matter", page 3, lines 3-4). At page 16, lines 9-14, Applicant states:

"In one embodiment of the present invention, database records are created at Step 56 using input forms with pre-determined fields. Data is input into the input forms either manually by a human user or automatically with an automated process using computer software. In another embodiment of the present invention, database records are created without input forms automatically with an automated process using computer software." (emphasis added).

In light of Applicant's remarks in the Brief and the original disclosure cited above, it is apparent that the intent of the addition of the term "automatically" to claim 1 was an agreement that the steps modified by such term were conducted via an automated process using computer software, rather than, for example, via a manual process by a human user.

That issue now being resolved, the Examiner notes that none of the prior art of record discloses a method for acquiring

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unclaimed property information comprising automatically transforming a plurality of unclaimed property information maintained in a plurality of different formats into a unified database format, thereby creating unclaimed property information.

The most remarkable prior art of record is to "User's Guide, Borland Paradox for Windows", Borland International, Inc. v5.0, 1994 (Paradox) and the website www.foundmoney.com (Ref. "W", cited herewith).

Although Paradox discloses (generally) certain steps recited in claim 1, Paradox is not (specifically) directed to a method for acquiring unclaimed property information, and, accordingly does not include a step of obtaining a plurality of unclaimed property information from a plurality of unclaimed property repositories (as recited in claim 1).

Although certain of the remaining prior art of record do teach unified databases which obtain unclaimed property information from a plurality of repositories or "sources" (see www.foundmoney.com, for example), none are specific to automatically obtaining periodically such information. Further, none of these remaining prior art references teaches automatically transforming a plurality of unclaimed property information maintained in a plurality of different formats into

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a unified format. These remaining prior art references are either silent to the issue of different formats or teach that all information is entered (presumably into a single format) in a common database. For example, and returning to www.foundmoney.com, there is no teaching the repositories or "sources" maintain their respective information in different formats. Any presumption that the various "sources" maintain their respective information in different formats is not considered "inherent" and would rely heavily on conjecture formed heavily on Applicant's own teachings.

Accordingly, there is no suggestion, absent the impermissible use Applicant's own teachings, which would have motivated the skilled artisan to have modified the general steps of acquiring general information found in Paradox to have included the specific steps of automatically obtaining periodically a plurality of unclaimed property information from a plurality of unclaimed property repositories, and automatically transforming the plurality of unclaimed property information maintained in a plurality of different formats into a unified database format for the purposes of acquiring unclaimed property information.

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Regarding Claim 12

The prior art of record neither anticipates nor fairly and reasonably teaches a method of locating owners of unclaimed property comprising, *inter alia*, the step of determining whether an owner of unclaimed property identified in the database record can be automatically located by searching one or more other databases on public and private computer networks.

The most remarkable prior art of record is to "The FREEDOM Group Announces a Powerful New Version of Its Market Leading TRACKER Unclaimed Property System", Business Wire, New York, Dec. 30, 1999, pg. 1 (Ref. "X", cited herewith and hereafter "TRACKER").

Although TRACKER is disclosed as an unclaimed property management system which includes the functionality of producing search letters, there is no indication that it includes the functionality of determining whether an owner of unclaimed property identified in a database record can be automatically located by searching one or more other databases on public and private computer networks. None of the remaining prior art of record remedies this deficiency found in TRACKER.

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Regarding Claim 19

The prior art of record neither anticipates nor fairly and reasonably teaches a method for automatically requesting disbursement of unclaimed property comprising, *inter alia*, the step of electronically collecting appropriate information required by one or more unclaimed property repositories to disburse unclaimed property and a fee via the graphical user interface from an identified owner of unclaimed property.

The most remarkable prior art of record is to the website www.foundmoney.com (Ref. "W", cited herewith).

Although www.foundmoney.com indicates that an identified owner of unclaimed property may claim their property by contacting the appropriate unclaimed property office who holds such property, www.foundmoney.com does not teach that appropriate information required by such property office is electronically collected. None of the remaining prior art of record remedies this deficiency found in www.foundmoney.com.

Regarding Claim 25

Claim 25 is an unclaimed property network system which recites a graphical user interface in combination with modules

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which have functionality for realizing the steps discussed above with respect to claims 1, 12, and 19.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Biles (WO 99/18818 A2) discloses a method of tracking ownership of personal property.

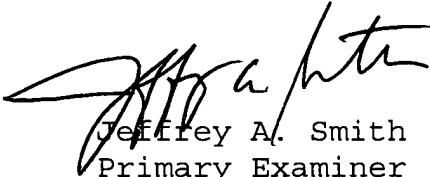
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey A. Smith whose telephone number is (571) 272-6763. The examiner can normally be reached on M-F 6:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on (571) 272-7159. The fax phone number for the

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organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jeffrey A. Smith
Primary Examiner
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